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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 CHARMANE SMITH,

8 Plaintiff,

9 v.

10 CREDIT ONE BANK,

11 Defendant.

Case No. 2:18-cv-02030-RFB-VCF

ORDER

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13 Before the Court is the Report and Recommendation of the Honorable Cam Ferenbach.
14 ECF No. 5. Plaintiff Charmane Smith objects to the Report and Recommendation. ECF No. 6.
15 Plaintiff also moves for summary judgment. ECF No. 7.

16 A district court “may accept, reject, or modify, in whole or in part, the findings or
17 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific
18 written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. §
19 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is
20 required to “make a de novo determination of those portions of the report or specified proposed
21 findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local
22 Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct
23 “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge.
24 Thomas v. Arn, 474 U.S. 140, 149 (1985).

25 In the Report and Recommendation, Magistrate Judge Ferenbach recommends dismissing
26 this matter for Plaintiff’s failure to file an amended complaint within the given deadline, meaning
27 the deficiencies identified in the Court’s October 30, 2018 have not been remedied. Plaintiff

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1 objects, arguing she did not receive the Court's order and believes a group of hackers are
2 interfering with her litigation.

3 The Court has reviewed the record de novo and now accepts and adopts Magistrate Judge
4 Ferenbach's findings and recommendations. The Court finds that Plaintiff failed to file an amended
5 complaint within the deadline imposed by the Court in its October 2018 Order. The Court further
6 finds that, while Plaintiff filed objections to the Report and Recommendation, she entirely fails to
7 address the substantive deficiencies of the Complaint in the Court's October 2018 Order. Thus,
8 Plaintiff's Complaint continues to fail to state a plausible claim.

9 IT IS THEREFORE ORDERED that the Report and Recommendation (ECF No. 5) by
10 Magistrate Judge Cam Ferenbach is ACCEPTED AND ADOPTED in full. Plaintiff's objections
11 (ECF No. 6) are OVERRULED.

12 IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (ECF No. 7)
13 is DISMISSED as moot.

14 IT IS FURTHER ORDERED that this matter shall be DISMISSED with prejudice for
15 failure to file an amended complaint in compliance with the Court's October 2018 Order and for
16 the reasons set forth in the Court's October 2018 Order. The Clerk of the Court is instructed to
17 enter judgment and close this matter accordingly.

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19 **DATED:** February 13, 2019.

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22 **RICHARD F. BOULWARE, II**
23 **UNITED STATES DISTRICT JUDGE**
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